

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOARD OF TRUSTEES OF THE EMPLOYEE
PAINTERS' TRUST, *et al.*,

Plaintiffs,

v.

METRO PAINTING LLC, *et al.*,

Defendants.

CASE NO. C21-1634-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

Although a motion for entry of default “need not be served on the defaulting party,” LCR 55(a), it is not appropriate to file such a motion *ex parte* even where, as here, the movant has already given the written notice required by the local rule. *See, e.g., Studio 010, Inc. v. Digital Cashflow LLC*, 2020 WL 3605654, slip op. at 3 (W.D. Wash. 2020) (citing *Mission Power Engineering Co. v. Continental Cas. Co.*, 83 F. Supp. 488, 493 (C.D. Cal. 1995)) (*ex parte* motions are not justified absent evidence the movant’s cause will be irreparably prejudiced if motion is heard using regular notice procedures). It is therefore ORDERED as follows:

1. Plaintiff’s motion for entry of default (Dkt. No. 12) is UNSEALED. The clerk is DIRECTED to provide a copy of the motion, with attachments, to all counsel via email.

1 2. The motion is RE-NOTED to April 8, 2022.

2 3. Defendant shall respond to the Complaint on or before the noting date or face
3 entry of default.

4 DATED this 5th day of April 2022.

5 Ravi Subramanian
6 Clerk of Court

7 s/Sandra Rawski
8 Deputy Clerk